

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2009-048722-001 SE

11/12/2009

JUDGE PRO TEM JERRY BERNSTEIN

CLERK OF THE COURT

A. Pagel-Spaulling

Deputy

STATE OF ARIZONA

JON ELIASON

v.

JASON CARPENTER SMITH (001)

DOB: 11/21/1978

BRIAN C BOND

APO-SENTENCINGS-SE

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

VICTIM SERVICES DIV-CA-SE

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:10 A.M.

Courtroom 202 SEF

State's Attorney: Kyle Green

Defendant's Attorney: Kirk Morris

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The plea is accepted.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 1 AS AMENDED: ATTEMPTED BURGLARY IN THE THIRD DEGREE

Class 5 FELONY

A.R.S. § 13-1001, 1501, 1506, 1602, 610, 701, 702, 801

Date of Offense: 8/21/2009

Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 2 years

Upon absolute discharge from prison for a separate offense in CR 2009-161238-001 (Count 1).

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning to be determined by probation office upon release from DOC.

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$20.00.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

All amounts payable through the Clerk of the Superior Court.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 18 - Not have any contact with the victim(s) whatsoever, unless approved in writing by the Adult Probation Department.

Condition 20 - Not remain in or return to the United States illegally if deported or processed through voluntary departure.

IT IS ORDERED granting the Motion To Dismiss the following: Count 2.

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IT IS FURTHER ORDERED Defendant be released from custody for this case only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

The Court is informed that the convicted person is an alien or suspected alien and that a staff member with the Adult Probation Department has conducted the requisite electronic inquiry as to the person's citizenship status and has informed the Court of those findings.

The presentence investigation report is filed under CR 2009-161238-001.

10:22 A.M. Matter concludes.

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM JERRY BERNSTEIN  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)